

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA	:	Case No. 1: 04 CV 689
	:	Criminal No. 1: 02-CR-22
Plaintiff,	:	
	:	Chief Judge Beckwith
v.	:	
	:	<u>UNITED STATES' RESPONSE TO</u>
SAMUEL A. ASHLEY, JR.,	:	<u>THE COURT'S SHOW CAUSE ORDER</u>
	:	
Defendant.	:	

This Honorable Court recently issued an Order (R. 133: Order, 1/04/06) dealing with the Defendant's Motion to enforce Judge Dlott's previous Order(R. 79: Order, 6/20/03). directing the United States to return to Mr. Ashley's designee, the property seized from Mr. Ashley in San Diego, California. Chief Judge Beckwith required the United States to either comply with Judge Dlott's Order by February 1, 2006 or to show cause why the United States should not be held in contempt if it failed to so comply.

Attached to this Memorandum is the Affidavit of FBI Special Agent Mike Logan stating that the property seized from Ashley in San Diego was returned to the individual designated in one of Ashley's recent filings. This Affidavit also states that two items of contraband were disposed of by sending them to the relevant state governments. The United States has thus complied with Judge Dlott's Order.

Respectfully submitted,

GREGORY G. LOCKHART
United States Attorney

s/James M. Coombe
JAMES M. COOMBE (0025538)
Assistant United States Attorney
221 East Fourth Street, Suite 400
Cincinnati, Ohio 45202
(513) 684-3711

CERTIFICATE OF SERVICES

I hereby certify that a copy of the foregoing *United States' Response to the Court's Show Cause Order* was served this 25th day of January, 2006 via U.S. Mail upon Mr. Samuel A. Ashley, #40656-061, Federal Correctional Institution, P.O. Box 6001, Ashland, Kentucky 41105.

s/James M. Coombe

JAMES M. COOMBE (0025538)
Assistant United States Attorney

AFFIDAVIT

I, Michael E. Logan, being duly sworn state that:

1. I am employed as a Special Agent with the Federal Bureau of Investigation in Cincinnati, Ohio. I have been a Special Agent since 1985 and am currently assigned to the white collar crimes squad.

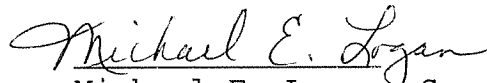
2. On January 24, 2006, I personally returned property seized from Samuel A. Ashley when he was arrested in San Diego, CA on February 7, 2002, to Tammy Hodge, 4215 Chambers Street, Apt. 2, Cincinnati, Ohio, his designee.

3. The following items, considered forged documents, were not returned to Samuel Ashley: A State of Ohio driver's license in the name of Steven A. Atkins, license number SK207459, bearing a photograph of Samuel A. Ashley, a State of Louisiana Identification card in the name of Susan Swain, number, 008253329, bearing a photograph of Tina Swain. The aforementioned driver's license and identification cards are being returned to the States of Ohio and Louisiana, respectively. Photo copies of these documents were provided to Ms. Hodge.

4. Samuel Ashley's laptop computer was forfeited to the government pursuant to Samuel Ashley's plea agreement and therefore was not returned.

5. An inventory of property returned to Samuel Ashley, C/O Tammy Hodge, and a receipt signed by Ms. Hodges is attached to this affidavit.

Subscribed and sworn to this 25 day of January, 2006.



Michael E. Logan, Special Agent
Federal Bureau of Investigation



My commission expires
3/18/06

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # 196D C1-69344On (date) 1/24/06

item(s) listed below were:

- ☐ Received From
☒ Returned To
☐ Released To
☐ Seized

(Name) Tammy L. Hodge(Street Address) 4215 Chambers(City) Cincinnati, Ohio 45223Description of Item(s): ① one man's wallet w/ identifications
and miscellaneous papers/receipts.

Received By:

Tammy L. Hodge
(Signature)

Received From:

SA Michael E. Logan
(Signature)

02/08/02
17:06:25

FD-192

ICMIPR01
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Title and Character of Case:

ASHLEY, SAMUEL
SWAIN, TINA, N

Date Property Acquired: Source from which Property Acquired:
02/07/2002 SAMUEL ALVIN ASHLEY & TINA ATKINS

Anticipated Disposition: Acquired By: Case Agent:
MANNION BRIDGID A LOGAN MICHAEL E

Description of Property: Date Entered
1B 9

- 1) LOUISIANA ID CARD 008253329 IN NAME OF SUSAN RENEE SWAIN
- 2) WALLET FROM SAMUEL ALVIN ASHLEY WITH IDENTIFICATION IN
NAME OF MICHAEL L. HOLTZ AND OTHER MISC RECEIPTS

Barcode: E02054724 Location: ~~ECC-GEP~~ ~~WALL-UNIT-ROW-11-C~~ 02/08/2002

ECR SCLD 54

EXHIBIT COPY

Case Number: 196D-CI-69344
Owning Office: SAN DIEGO

PACKAGE COPY